



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **T-5**

April 21, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**STREET LIGHTING DISTRICTS
LANDSCAPING AND LIGHTING ACT
ANNUAL ASSESSMENT PROCEDURE
FISCAL YEAR 2009-10
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to order the Los Angeles County Director of Public Works or her designee as the Engineer to prepare an annual Engineer's Report in order to renew the annual street lighting assessments for all zones within the County Lighting District Landscaping and Lighting Act-1 for Fiscal Year 2009-10.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Designate the Director of Public Works or her designee as the Engineer, under Section 22523 of Article 2 (commencing with Section 22520), Chapter 1, Part 2, Division 15, of the California Streets and Highways Code.
2. Adopt the Resolution Ordering Engineer's Report for Fiscal Year 2009-10 (California Streets and Highways Code Section 22622) which orders the Director of Public Works or her designee, as the Engineer, to prepare an file an Engineer's Report in accordance with Section 22566 of the California Streets and Highways Code and Section 4(b) of Article XIII D of the California Constitution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is to order the Director of Public Works or her designee as the Engineer to prepare the required annual Engineer's Report in order to renew the annual street lighting assessments for all zones within the County Lighting District Landscape and Lighting Act-1 (Lighting District). This action only initiates the report and does not establish any assessment rates.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Operational Effectiveness (Goal 1). We ensure the fiscal sustainability of our street lighting services by renewing the street lighting assessments to provide the funding necessary for the operation and maintenance of street lighting facilities within the Lighting District. In addition, this action is consistent with Community and Municipal Services (Goal 3), since maintaining street lighting services provides for the delivery of a customer oriented municipal service, for the convenience and safety of the motoring public, as well as for the safety and security of people and property, which improves the quality of life in the County.

FISCAL IMPACT/FINANCING

Sufficient funds are included in the current budgets of the Consolidated Lighting Maintenance Districts' for the preparation of the annual Engineer's Report.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On July 24, 1979, your Board approved the formation of the Lighting District to provide supplemental funds for the operation of street lights in existing County Lighting Maintenance Districts, pursuant to provisions of the Landscaping and Lighting Act of 1972 (Act), Part 2, Division 15, of the California Streets and Highways Code. Each subsequent year, your Board has renewed annual street lighting assessments for all zones within the Lighting District for supplemental funds. Similar action is now needed to enable us to keep all of the Lighting District's street lights in operation during Fiscal Year 2009-10.

The Act and the California Constitution (Article XIII D) set forth procedures that must be followed for any fiscal year during which an assessment is to be levied. The Act requires that the legislative body adopt a resolution generally describing any proposed improvements or substantial changes in existing improvements. The Board must also

order an Engineer, designated pursuant to Section 22523 of the California Streets and Highways Code, to prepare and file a report in accordance with Section 22566 of Article 4, Chapter 1, of the California Streets and Highways Code and Section 4(b) of Article XIII D of the California Constitution.

Under the California Streets and Highways Code Section 22622, your Board must adopt a resolution generally describing any proposed improvements or substantial changes in existing improvements within the Lighting District, and order the Director of Public Works or her designee as the Engineer to prepare and file a report in accordance with Section 22565, et seq. of the California Streets and Highways Code. The existing assessments and any needed increases in assessment rates shall be supported by the report. If any future increases in assessment rates are needed, the Department of Public Works (Public Works) will comply with all legal requirements under Article XIII D of the California Constitution (Proposition 218).

In a few weeks, we will submit for your approval the required Engineer's Report and resolutions to establish the assessments for Fiscal Year 2009-10.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

At such time as these recommendations may be adopted, please return one adopted copy of this letter and signed resolution to Public Works. Also, please forward one adopted copy of the letter and resolution to the County Assessor, Ownership Services Section (Attention Angela Gadsden); and one to the Auditor-Controller, Tax Division (Attention Kelvin Aikens).

Respectfully submitted,



for GAIL FARBER
Director of Public Works

GF:WJW:ch

Attachment

c: Chief Executive Office (Lari Sheehan)
County Counsel (Talin Halabi)

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS
RESOLUTION ORDERING ENGINEER'S REPORT
FOR FISCAL YEAR 2009-10
(CALIFORNIA STREETS AND HIGHWAYS CODE SECTION 22622)**

WHEREAS, on July 24, 1979, the Board of Supervisors of the County of Los Angeles approved the formation of County Lighting District LLA-1 (Lighting District) to provide supplemental funds for the operation of street lights in County Lighting Maintenance Districts pursuant to provisions of the Landscaping and Lighting Act of 1972 (Act), Part 2, Division 15, of the California Streets and Highways Code; and

WHEREAS, under the California Streets and Highways Code Section 22622 of the Act, your Board must adopt a resolution generally describing any proposed improvements or substantial changes in existing improvements within the Lighting District, and order the Director of Public Works or her designee as the Engineer to prepare and file a report in accordance with Section 22566 of the California Streets and Highways Code.

WHEREAS, Section 4(b) of Article XIII D of the California Constitution requires assessments to be supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California, that:

SECTION 1. The Lighting District will include the following improvements:

- a. Additional street lights installed within the existing County Lighting Maintenance Districts and assessment zones, in compliance with procedures set forth in the California Streets and Highways Code.
- b. New street lighting systems installed in response to property owner petitions filed and processed in compliance with procedures set forth in the California Streets and Highways Code.
- c. New street lighting systems installed in new land developments pursuant to the requirements of Titles 21 and 22, Los Angeles County Code (the Subdivision and Zoning Ordinances), and processed in compliance with procedures set forth in the California Streets and Highways Code.

- d. Repair or replacement of obsolete street lighting equipment within the County Lighting Maintenance Districts and assessment zones.

SECTION 2. The Director of Public Works or her designee as the Engineer is hereby ordered to prepare and file a report in accordance with Section 22566 of Article 4, Chapter 1, of the California Streets and Highways Code and Section 4(b) of Article XIII D of the California Constitution.

The foregoing Resolution Ordering Engineer's Report was on the _____ day of _____, 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

BY 
Deputy